

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10011143-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Rory Van Tuyl

Serial No.: 09/966,898

Examiner:

Filing Date: Sept. 28, 2001

Group Art Unit: 2631

Title: METHOD AND APPARATUS FOR TIME ALIGNING DATA MODULATORS USING
FREQUENCY DOMAIN ANALYSIS OF DETECTED OUTPUT

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- () under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- (X) under 37 CFR 1.97(c) together with either a:
(X) Statement under 37 CFR 1.97(e), or
() a \$180.00 Processing fee under 37 CFR 1.17(p), or
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- () under 37 CFR 1.97 (d) together with a:
() Statement under 37 CFR 1.97(e), and
() a \$180.00 processing fee under 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 50-1078 the sum of \$0.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

() Applicant(s) submit herewith Form PTO 1449. References identified with an asterisk (*) were disclosed in Patent Application No. _____ filed _____, now U. S. Patent No. _____, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

() A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: Jan. 24, 2003

Typed Name: Linda A. Iimura

Signature: Linda A. Iimura

Respectfully submitted,

Rory Van Tuyl

By

Juergen Krause-Polstorff

Attorney/Agent for Applicant(s)
Reg. No. 41,127

Date: Jan. 24, 2003

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STATEMENT UNDER 37 CFR 1.97(e)

Sir:

The undersigned hereby certifies that either:

- (X) Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- () No item of information contained in the Information Disclosure Statement
 - was cited in a communication from a foreign patent office in a counterpart foreign application, and
 - to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Rory Van Tuyl

By

Juergen Krause-Polstorff

Attorney/Agent for Applicant(s)

Reg. No. 41,127

Date: Jan. 24, 2003

Telephone No.: (650) 485-5904

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(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

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DATE CONSIDERED

Rev 10/02 (PTO1449)